

REMARKS

In the non-final Office Action, the Examiner rejects claims 22-30, 36, 39-43, and 45 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,345,054 to Sasaki (hereinafter "SASAKI"); allows claims 14-15, 31, and 33-35; and objects to claims 37 and 44 as being dependent upon a base claim but would be allowable if rewritten in independent form including all of the features of the base claim. Applicant respectfully traverses this rejection.

By way of this Amendment, Applicant amends claim 36 to substantially incorporate the features of claim 37, cancels claims 22-30, 37, and 45 without prejudice or disclaimer, and adds new independent claim 46. New claim 46 includes the features of claim 36 and claim 44. No new matter has been added. Claims 14-15, 31, 33-36, 39-44, and 46 are pending.

Allowed Claims

Claims 14-15, 31, and 33-35 are allowed. Applicant notes with appreciation this indication of allowed subject matter.

Rejection under 35 U.S.C. § 103(a) based on SASAKI

Pending claims 36 and 39-43 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,345,054 to Sasaki (hereinafter "SASAKI").

Independent claim 36 has been amended to substantially incorporate the features of claim 37. The Examiner indicated that claim 37 would be allowable if rewritten in independent form including all the features of the base claim (Office Action, p. 5).

Therefore, claim 36 is believed to be in condition for immediate allowance. Accordingly, Applicant respectfully requests that the rejection of claim 36 under 35 U.S.C. § 103(a) based on SASAKI be reconsidered and withdrawn.

Pending claims 39-43 depend from claim 36. Therefore, these claims are believed to be in condition for immediate allowance for at least the reasons set forth above with respect to claim 36. Accordingly, Applicant respectfully requests that the rejection of claims 39-43 under 35 U.S.C. § 103(a) based on SASAKI be reconsidered and withdrawn.

New Claim 46

As indicated above, new independent claim 46 incorporates the features of claim 36 and claim 44. The Examiner indicated that claim 44 would be allowable if rewritten in independent form including all the features of the base claim (Office Action, p. 5). Therefore, new claim 46 is believed to be in condition for immediate allowance.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine

references, assertions as to dependent claims, etc.) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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